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Appl. No. 09/902,144
Docket No. 8633
Amdt. dated February 15, 2007
Reply to Office Action mailed on October 17, 2006
Customer No. 27752

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A method of optimizing shelf space at least one factor associated with a product in a scenario by generating an optimal value for shelf space set data, wherein said method comprises the steps of:

(i) receiving factor data associated with [[a]] the product, selected [[form]] from the group chosen from ~~consisting of~~ categories, financial data, and product identification; and shelf space set

~~(ii) selecting one factor for optimization wherein said one factor for optimization is shelf space;~~

~~[[(iii)]]~~ (ii) receiving hypothetical sets of constant value data, and assigning the hypothetical sets of constant data to said factor data; ~~wherein a predetermined value for one or more of said factor data is known;~~

~~(iii) receiving shelf space set data;~~

(iv) receiving optimizing instructions data operable to determine an optimal value for the shelf space set data ~~said one factor selected for optimization;~~

~~(v) receiving hierarchical data operable to associate one or more of the categories and the product identification into a hierarchy~~

~~(vi) receiving scenario data operable to associate one or more of the categories and the product identification into a hierarchy~~

~~(vii) using said optimizing instruction data to optimize said one factor and generate a scenario optimal value for each of said hypothetical sets of said constant value data.~~

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(v) inputting said factor data, hypothetical sets of constant value data, and said optimizing instructions in a computer program executable on a computer;

(vi) executing the computer program on the computer to generate the optimal value for the shelf space set data.

Claims 2-5 (Canceled)

6. (Currently Amended) The method of claim [[5,]] 1, further comprising: using historical values for the factor data ~~factors not being optimized~~ to modify the calculation.

Claims 7-15 (Canceled).

16. (Currently Amended) ~~The data of claim 8,~~ The method of claim 1, wherein the factor data further includes a store identification, a geographical identification, ~~[[and]]~~ a manager identification, or combinations thereof.

Claims 17-22 (Canceled)

23. (Currently Amended) The system of claim 17, wherein ~~the data collection set of executable instructions collects~~ at least a portion of the factor data is dynamically received as a sale occurs within a store.

24. (Canceled)